

March 9, 2005

Letter of Appeal  
Schools and Libraries Division  
Box 125  
Correspondence Unit  
80 Jefferson Road  
Whippany, NJ 07981

This letter is an appeal and a request for reconsideration of the SLD's decision to deny funding for FRN#1001845 filed in 2003 on Application 367641 on behalf of the Leland School District (Billed Entity # 128565). The reason given for denial is "no contract or legally binding agreement was in place when the Form 471 was filed."

In a rush to send in requested information requested in a review of this application, I sent in a copy of the unsigned contract in the folder, rather than a signed copy of the contract. I am enclosing both copies of the contract with this appeal. Additionally, I am also enclosing the minutes from the board meeting where the Board of Trustees formally accepted and awarded this bid to Synergetics. Under Mississippi law, the contract offer made by Synergetics became legally binding at that time (which would also meet the requirement that a "legally binding agreement exists between you and the service provider preparatory to a formal signed contract.."

Additionally, as I have explained in earlier response to PIA, our vendors were selected in accordance with the required bid process and that each party understood when submitting bids that procurement of all services requested was contingent upon approval of the bids by the Board of Trustees, and upon subsequent E-rate funding.

I sincerely trust that you will take a look at other responses to PIA and Selective Reviews and see that we have tried to provide you with everything you have requested from us in a timely and efficient manner. In that light, I hope that you will reconsider granting approval for the services requested through this contract.

Sincerely,

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